

HOUSE BILL 3528  
By McMillan

AN ACT to amend Title 38, Chapter 3, Part 1, relative to homeland security.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 3, Part 1, is amended by adding the following as a new appropriately designated section:

Section \_\_\_\_\_.

- (a) The Office of Homeland Security may apply to the Commissioner, Tennessee Department of Safety, to commission such number of its officers that directly support state, federal, and local law enforcement activities involved in countering or responding to acts of terrorism, as the office shall designate, to act as Peace Officers for the Office of Homeland Security.
- (b) The Commissioner, upon such application, may appoint such person as the Office of Homeland Security designates, or as many thereof as the Governor deems proper to be such Peace Officers, and shall give commissions to those appointed.
- (c) Each such officer, throughout every county in the state, shall have and exercise, for the sole purpose of carrying out the scope of assigned duties as specified or limited within the exclusive judgment of the Office of Homeland Security, all the powers of a peace officer, including the power to make arrests for public offenses anywhere in the state. Further, such officers may serve process in criminal and penal prosecutions for such offenses, and shall have authority to carry weapons for the reasonable purposes of their offices and while in the performance of their assigned duties.
- (d) The keepers of jails in any county or municipality wherein a violation occurs, for which any such arrest is made by an officer of the Homeland Security Office, shall receive all persons arrested by such officers to be dealt with according to law, and

- (e) persons so arrested shall be received by keepers of jails on the same basis and shall have the same status as prisoners arrested by any other law enforcement officer.
- (f) Every officer so appointed shall, when on duty, have in possession a badge or identification card identifying such officer as an officer of the Office of Homeland Security, and such officer shall exhibit such badge or identification card on demand and before making an arrest.
- (g) When the Office of Homeland Security no longer requires the services of such Peace Officer so appointed, it shall file a notice to that effect with the Commissioner's Office. Thereupon, the powers of such Peace Officer shall cease and terminate.

SECTION 2. This act shall take affect July 1, 2004, the public welfare requiring it.